



INTERNATIONAL TRADE COMMISSION
INVESTIGATION NO. 337-TA-823
CERTAIN KINESIOTHERAPY DEVICES AND COMPONENTS THEREOF
NOTICE OF INSTITUTION OF INVESTIGATION

Institution of investigation pursuant to 19 U.S.C. § 1337

AGENCY: U.S. International Trade Commission

ACTION: Notice

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on December 2, 2011, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Standard Innovation Corporation of Ottawa, Canada and Standard Innovation (US) Corp. of Wilmington, Delaware. Supplements to the complaint were filed on December 19, 2011, and December 27, 2011. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain kinesiotherapy devices and components thereof by reason of infringement of certain claims of U.S. Patent No. 7,931,605 (“the ‘605 patent”) and U.S. Patent No. D605,779 (“the ‘779 patent”). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

ADDRESSES: The complaint and supplements, except for any confidential information contained therein, are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Room 112, Washington, D.C. 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.10 (2011).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on January 3, 2012, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain kinesiotherapy devices and components thereof that infringe one or more of claims 1-7, 9-21, 23, 24, 26, 33-40, 42-54, 56, 57, 59, 66-73, 75-90, and

92 of the '605 patent and the claim of the '779 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:

Standard Innovation Corporation

1130 Morrison Drive, Suite 330

Ottawa, ON, Canada K2H 9N6

Standard Innovation (US) Corp.

Corporation Trust Center

1209 Orange Street

Wilmington, DE 19801

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

LELO Inc.

4320 Stevens Creek Blvd., Suite 205

San Jose, CA 95129

Leloi AB

Brunnsgatan 8

Ill 38 Stockholm, SWEDEN

LELO

Room 701-706 Guobang Garden, No. 10,

396 South Wulumuqi Road

Shanghai, China 20003

Natural Contours Europe

Tweede Weteringdwarsstraat 40

Amsterdam 1017 SX, The Netherlands

Momentum Management, LLC a.k.a.

Bushman Products

1206 W Jon Street

Torrance, CA 90502

Evolved Novelties, Inc.

9035 Independence Ave

Canoga Park, CA 91304

Nalpac Enterprises, Ltd. d/b/a Nalpac, Ltd.

1111 E. 8 Mile Rd.

Ferndale, MI 48220

E. T.C., Inc. d/b/a Eldorado Trading
Company, Inc.
2325 West Midway Blvd.
Broomfield, CO 80020

Williams Trading Co., Inc.
9250 Commerce Highway
Pennsauken, NJ 08110

Honey's Place, Inc.
640 Glenoaks Blvd.
San Fernando, CA 91340-1419

Lover's Lane & Co.
46750 Port St.
Plymouth, MI 48170-6031

PHE, Inc. d/b/a Adam & Eve
302 Meadowland Drive
Hillsborough, NC 27278

Castle Megastore Group, Inc.

1045 S. Edward Drive

Tempe, AZ 85281

Shamrock 51 Management Company, Inc.

d/b/a Fairvilla. com

105 Candace Drive, Unit 109

Maitland, FL 32751

Paris Intimates, LLC

4244 MacQueen Dr.

West Bloomfield, MI 48323

Drugstore.com, Inc.

411 108th Avenue NE, Suite 1400

Bellevue, W A 98804

Peekay Inc.

901 W. Main Street, Suite A

Auburn, W A 98001

Mile Inc. d/b/a Lion's Den Adult

110 East Wilson Bridge Road, Suite 110

Worthington, OH 43085

Marsoner, Inc. d/b/a Fascinations

315 South Bracken Lane

Chandler, AZ 85224

Love Boutique-Vista, LLC d/b/a Deja vu

2130 Industrial Court

Vista, CA 92081

Toys in Babeland LLC

707 East Pike Street

Seattle, WA 98122

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.13. Pursuant to 19 C.F.R. §§ 201.16(d)-(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of

time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

James R. Holbein
Secretary to the Commission

Issued: January 4, 2012

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